SENATE BILL NO. 176

INTRODUCED BY T. JACOBSON, K. DUDIK, D. DUNN, R. FITZGERALD, P. FLOWERS, B. HOVEN,
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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE DEPARTMENT OF AGRICULTURE TO DEVELOP
A STATE HEMP CERTIFICATION PROGRAM PLAN; ALLOWING FOR THE IMPLEMENTATION OF A STATE
HEMP CERTIFICATION PROGRAM BY THE DEPARTMENT; PROVIDING RULEMAKING AUTHORITY; AND
PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Hemp certification program -- plan -- department authority --
rulemaking. (1) (a) The department may develop a state hemp certification program plan.
(b) If developed, the plan must conform with applicable federal standards and industry best practices.
(c) If a hemp commodity advisory committee is formed in accordance with 80-11-510, the department
shall request the committee's input in developing the plan.
(2) The department may implement a state hemp certification program in accordance with chapter 18,
this section, and rules adopted by the department in accordance with subsection (5) of this section.
(3) (a) A state hemp certification program must ensure that a product sold or labeled as Montana hemp:
(i) is grown under a valid state license and in accordance with chapter 18; and
(ii) undergoes laboratory testing protocols to meet applicable state and federal food safety and product
labeling laws.
(b) A state hemp certification program may contain requirements that are more stringent than those
contained in federal law or regulation.
(4) After establishment of a state hemp certification program, the department shall include the promotion
of Montana-certified hemp in its agricultural product marketing programs.
(5) If the department establishes a state hemp certification program, the department shall adopt rules
necessary to implement the program. The rules may include but are not limited to:
(a) provisions for the operation of a state hemp certification program by the department;
(b) fees to be paid by applicable entities commensurate to the costs of operating a state hemp
   certification program;

(c) penalties and enforcement provisions for a state hemp certification program; and

(d) additional requirements necessary for administering a state hemp certification program.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an
   integral part of Title 80, chapter 11, and the provisions of Title 80, chapter 11, apply to [section 1].

NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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